

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
3:12cr78**

<b>UNITED STATES OF AMERICA,</b>	)	
	)	
	)	
<b>Vs.</b>	)	<b>ORDER</b>
	)	
<b>MATTHEW MONTGOMERY.</b>	)	
	)	
	)	

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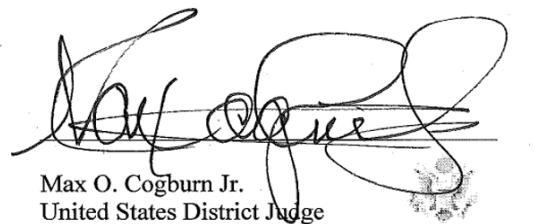
**THIS MATTER** is before the court on defendant's Motion to Sever Counts (#13).

The government has responded to the motion and concedes that joinder of the counts in the indictment is improper. Response (#14), at 1. The court concurs with the analysis of the parties and will grant relief from prejudicial joinder as provided by Rule 14(a), Federal Rules of Criminal Procedure. Having considered defendant's motion and reviewed the pleadings, the court enters the following Order.

**ORDER**

**IT IS, THEREFORE, ORDERED** that defendant's Motion to Sever Counts (#14) is **GRANTED**, and separate trials are Ordered on each count of the indictment.

Signed: April 11, 2012



Max O. Cogburn Jr.  
United States District Judge